

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18124 of 2021

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Satyendra Kumar Singh Son of Late Rama Shankar Singh Resident of Village
- Sakadi, P.S. Koilwar, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The Director, Directorate of Land Acquisition, Patna.
3. The District Magistrate - cum- Collector, Bhojpur at Ara.
4. The District Land Acquisition Officer, Bhojpur at Ara.
5. The Circle Officer, Circle - Koilwar, District- Bhojpur at Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bishwa Nath Chaudhary, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha (SC19)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-11-2023 Heard the parties.

2. This application has been filed for payment of compensation of the acquired land of the petitioner with 15 per cent per annum interest till the date of payment.

3. It is submitted on behalf of petitioner that father of the petitioner purchased the land of which some of the plots have been acquired by the respondents by issuing a notification in the year 2012 for the construction of Sakaddi to Nasariganj



Road. It is further submitted that before the aforesaid land was purchased by the father of the petitioner from the legal heirs of the original raiyat late Satya Narayan Singh. After purchasing the said land, the father of the petitioner got mutated the purchased land in his favour and paid the revenue rent to the respondent no. 5. As per the notification published in the year 2012 as contained in Annexure-3 to the petition, the total land of Khata No. 2808, 2806 and 2805 having its entire area 154 $\frac{1}{4}$ decimal have been acquired by the respondents without following the mandate of law, in other words, prior to acquisition of the land no notice and no opportunity of hearing has been given to the petitioner which is in utter violation of law. In the year 2013, father of the petitioner submitted a representation before the Respondent no. 4 raising grievance in relation to the correction of ownership of the acquired land. In spite of repeated representation, the respondents are sitting tight over the matter and taking no action of payment of compensation. Lastly, on 13.01.2018, a representation was filed by father of the petitioner before respondent no. 4 but till date no compensation has been paid. Non-payment of amount of compensation is clear violation of Constitution of India.

4. In view of the nature of grievance raised by the



petitioner, the District Land Acquisition Officer, Bhojpur at Ara (respondent no. 4) is directed to dispose of the application dated 13.01.2018 filed by the petitioner by reasoned and speaking order in accordance with law after hearing the parties, preferably, within six months of receipt/communication of a copy of this order.

5. Let a copy of this order be communicated to the the District Land Acquisition Officer, Bhojpur at Ara (respondent no. 4) for its compliance through FAX or e-mail forthwith.

6. With the aforesaid observation and direction, this application is disposed.

(Prabhat Kumar Singh, J)

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